

**State of Maryland  
ELEVATOR SAFETY REVIEW BOARD  
Business Meeting Minutes**

**DATE:** February 26, 2016

**TIME:** 10:00 a.m.

**LOCATION:** 500 N. Calvert Street  
2nd Floor Conference Room  
Baltimore, MD 21202

**PRESENT:** Ed M. Hord, Chairman  
Mike W. Moran  
Charles E. Meeks  
Rick J. Lowman  
Don Greulich  
Steven Joss

**ABSENT:** Sonny Yeatman

**VACANCIES:** Two (2) positions to be filled by the Governor's Office

**STAFF PRESENT:** Robin Bailey, Executive Director, Mechanical Boards  
Joel Jacobson, Assistant Attorney General  
Raquel M. Meyers, Administrative Specialist

**GUESTS PRESENT:** Chris Cromwell, Bedco Mobility  
Matt Aird, Premier Lifts, Inc.  
Tim Blair, Premier Lifts, Inc.  
Gordon Kraft, Technical Inspector  
Eron Whitehurst, ThyssenKrupp Elevator  
Vincent Cole, Allstate Elevator Inspector  
George Boecker, IUEC, Local 7  
Tom Lindsay, RCM Elevator

**Call To Order**

Ed M. Hord, Chairman, called the Business Meeting of the Maryland Elevator Safety Review Board to Order at 10:09 a.m.

**Approval of Minutes**

The members of the Board reviewed the minutes of the Business Meeting held on October 23, 2015, and upon Mr. Lowman's Motion, and Mr. Joss's second, the Board unanimously carried that the minutes be approved with corrections.

**Chairman's Report**

There was no Chairman's Report to offer.

## **Licensing Report Update**

### **A. Applications/Qualifications Review Committee**

Mr. Meeks reported to the Board that the Applications/Qualifications Review Committee met on this date, and approved 25 elevator mechanic license applications and two (2) elevator contractor applications. There were no applications referred back to the Board for further review.

Upon Mr. Lowman's Motion, and Mr. Meeks second, the Board unanimously carried to accept the recommendations of the Applications/Qualifications Review Committee.

### **B. Review of Examination Statistics and License Totals**

Ms. Bailey reported that no candidates tested in October and November, 2015. She reported that three (3) tested in December, 2015, three (3) passed, no candidates failed, with a pass rate of 100%. In January 2016, (1) candidate was tested, one (1) failed with a 0% passing rate. Since January 2015, the passing rate is 75%, and since the inception of the test the overall passing rate is 75%. There are currently 816 active licensees.

### **C. Exam Update**

Ms. Meyers informed the Board that the exam panel met on December 9, 2015, and completed the questions for the accessibility lift mechanic licensure exam. Jason Schaefer, Test Development Specialist for PSI, reported to the panel that the projected date to launch the exam is March 9, 2016.

## **Old Business**

Ms. Bailey stated that she drafted a reciprocal licensure agreement between the Board and the Virginia Board of Contractors that is in their packet for review. Mr. Jacobson, visiting counsel, suggested some minor changes to the proposed agreement and stated it should be reviewed by Jessica Carter, principal Board counsel. The Virginia Board of Contractors has a limited use/limited application endorsement, which is not recognized by the Maryland Elevator Safety Review Board and they do not issue elevator renovator mechanic licenses. Mr. Moran stated that Virginia does have a specific license classification and specialty designation for an applicant who holds a valid license which is EEC - elevator/escalator under the contractor's license. Mr. Meeks suggested that Board staff try to contact the licensing Boards in Delaware and Washington, DC to see if they are interested in reciprocal licensure with Maryland. Mr. Hord referred to Ms. Bailey to revise Virginia's reciprocal agreement and follow-up with the other states as Mr. Meeks suggested. The Board agreed to defer voting on the agreement until the next scheduled meeting.

## **New Business**

Ms. Bailey stated that she would like to request the Board's permission to start posting open meetings on the Board website. Currently, under the Open Meeting Act, Board meetings are posted in the Maryland Register. If the publication deadline is missed and not announced in the Maryland Register or if a meeting has to be cancelled, then a notice has to be published in the Daily Record which can be costly for the Board over time. Counsel stated that notice of public meetings can be provided by posting a notice on the agency's website after a Board provides notification that future publication of public meetings will be provided in that manner during an open meeting. Mr. Moran asked Counsel whether or not there would be a legal issue for the Board to consider while posting meetings in this manner. Counsel stated that there is no legal issue to consider and that it is at the Boards discretion to post meetings on the website in lieu of the Maryland Register. Mr. Hord agreed with Ms. Bailey's request to announce the Boards meeting on the website. Upon Mr. Lowman's Motion, and Mr. Joss' second, the Board unanimously voted to approve that all future Board meeting announcements will be posted on the Elevator Safety Review Board website.

## **Executive Director's Report**

Ms. Bailey stated that she has revised the PSI bulletin and application for the elevator mechanic, elevator renovator mechanic and accessibility lift mechanic exam. She thanked Ms. Meyers for her tireless efforts in assisting with the completion of the Boards exams to include the bulletins and applications and serving as both the Elevator Safety Review Board and Plumbing Board secretary. Ms. Meyers has been doing an exemplary job to date. She also informed the Board that the renovator regulations that had been previously sent to the Secretary's office and will be reviewed soon. She will keep the Board updated as to the status as additional information becomes available.

## **Counsel's Report**

Mr. Jacobson informed the Board that Ms. Carter is currently attending a mandatory legislative meeting with the Secretary. Ms. Bailey stated that Mr. Jacobson serves as the Counsel for the Maryland Home Improvement Commission and thanked him for serving as the Boards Counsel today. He expressed his gratitude towards the Board and thanked Ms. Bailey for her gracious hospitality.

## **Public Comments**

### **A. Witnessing Test**

Mr. Boecker from IUEC local 7 stated that during the October Board meeting he had inquired about the status of regulations regarding the witnessing of elevator tests. Ms. Bailey stated that Counsel Carter had worked with the Division of Labor and Industry (DLI). There been no final decision or action taken on this issue as of yet. Mr. Boecker stated that he had contacted the Secretary's office and was informed that there will not be any changes to the regulations. Ms. Bailey stated that she cannot confirm that statement as the last information she heard was that the regulations were being drafted. Mr. Boecker emphasized that there is a need in the elevator industry to get this done.

Mr. Cole, a third party inspector, stated that he had failed elevator inspections at least 50% of the time due to incomplete testing. He feels that witnessing these tests should eliminate a lot of the inspection failures. Mr. Hord reiterated to Ms. Bailey that the Board did make a recommendation on this matter at a previous Board meeting. Mr. Joss asked Ms. Bailey if she could contact the Secretary's office and express the Board's concern about the witnessing of inspections. Ms. Bailey stated to Mr. Joss that she can send an e-mail to the Secretary's Chief of Staff. Mr. Hord agreed with Ms. Bailey to send an e-mail to the Chief of Staff to reemphasize the Boards decision to support the witnessing of elevator tests.

Mr. Kraft, a third party inspector, stated that he is concerned that elevator tests are not being done correctly. Mr. Kraft stated that there is an urgent need in the elevator industry to get this done. He is concerned that someone could be hurt if this issue is not addressed. Mr. Whitehurst, a third party inspector, stated that he works in many jurisdictions and Maryland is one of the few states that do not witness elevator tests. Mr. Hord stated that the Board will reemphasize its position to have elevator tests witnessed.

### **B. Private Residential Elevators**

Mr. Cromwell inquired about the enforcement of the law regarding the development of regulations related to the certification of accessibility lift mechanic specialists. Until the Board adopts regulations to certify accessibility lift mechanic specialists to perform work on private residential elevators, an accessibility lift mechanic can provide the service, which is effective for up to four (4) years after the effective date of the regulations.

Mr. Aird stated that at the August 21, 2015, Board meeting, he had expressed concern that the accessibility lift mechanic exam will not include the private residential portion in order for candidates to qualify for this

certification. The Board agreed to defer this portion of the exam to a later date. The accessibility lift mechanic exam is now complete. The Board would be required to propose regulations to certify the accessibility lift mechanic specialist to perform work on private residential elevators. Ms. Bailey stated that she will bring this issue to Counsel Carter. Mr. Hord suggested that the Board form a task force in order to address this issue. Mr. Joss and Mr. Meeks agreed to serve on the Board's task force. Mr. Joss emphasized that there should be an endorsement of the accessibility lift mechanic license in order to perform residential elevator work. Mr. Joss also stated that it would be beneficial for the Board to address this issue.

#### **Next Meeting**

The next Board meeting is scheduled for April 29, 2016, at 10:00 a.m., 500 N. Calvert Street, 3rd Floor Conference Room, Baltimore, Maryland 21202.

#### **Adjournment**

There being no further business, upon Mr. Joss' Motion, and Mr. Greulich's second, the Board unanimously adjourned the meeting at 10:57 a.m.

\_\_\_\_\_ Approved without corrections

\_\_\_\_\_ Approved with corrections

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Ed M. Hord, Chairman

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Date